

Senator Westfall offered the following resolution:

*Resolved*, That the Committee on Printing be requested to take into consideration, and report to the Senate at an early day, the most economical method by which the people may be furnished with the official proceedings of this body.

Adopted.

Senator Erath introduced a bill, No. 5, entitled "An act to add certain lands to the school fund." Read first time and referred to Committee on Public Lands.

Senator Mobly introduced a bill, No. 6, entitled "An act to amend sections 19 and 34, of an act entitled 'An act regulating elections,' approved March 31, 1873." Read first time and referred to Committee on Judiciary.

Senator Dillard introduced a bill, No. 7, entitled "An act providing pensions for the surviving veterans of the revolution, which separated Texas from Mexico." Read first time and referred to Committee on State Affairs.

The President announced that the Senate would go into the election of a calendar clerk.

Senators Dillard, Erath and Allison were appointed tellers.

Senator Ellis nominated Thos. A. Hester.

Senator Swift nominated Wm. Neal Ramey.

Senator Bradshaw nominated Paul S. McCombs.

Nominations being closed, the Senate proceeded to ballot, with the following result:

On the first ballot, Thomas A. Hester received nine votes, Wm. Neal Ramey eight votes, McCombs four and Chalmers one.

No one having received a majority of all the votes cast, the Senate proceeded to a second ballot, which resulted as follows:

Thos. A. Hester nine, Wm. Neal Ramey eight, McCombs two, Chalmers four.

Senator Bradley moved to drop each time the candidate having the lowest number of votes. Adopted.

No one having received a majority of the votes cast, the Senate proceeded to a third ballot, with the following result:

Thos. A. Hester eight, Wm. Neal Ramey eight, Leigh Chalmers eight.

No one having received a majority of all the votes cast, the Senate proceeded to a fourth ballot. The following was the result:

Thos. A. Hester eight, Wm. Neal Ramey eight, Leigh Chalmers eight.

No one having received a majority of all the votes cast, the Senate proceeded to a fifth ballot. The following was the result:

Thos. A. Hester seven, Wm. Neal Ramey eight, Leigh Chalmers seven.

(Senator Ball in the chair.)

Senator Parker moved to postpone further balloting, and make the election a

special order for to-morrow at 11 A. M. Lost.

No one having received a majority of all the votes cast, the Senate proceeded to a sixth ballot. The following was the result:

Thos. A. Hester six, Wm. Neal Ramey eight, Leigh Chalmers nine.

No one having received a majority of all the votes cast, the Senate proceeded to a seventh ballot. The following was the result:

Wm. Neal Ramey eleven, Leigh Chalmers twelve.

Mr. Leigh Chalmers having received a majority of all the votes cast, was declared by the President to have been duly elected calendar clerk.

On motion of Senator Westfall, the Senate adjourned to 10 o'clock A. M. to-morrow.

## SEVENTH DAY.

### SENATE CHAMBER,

AUSTIN, January 20, 1874.

Senate met pursuant to adjournment. Roll called: quorum present.

No absentees.

Prayer by the chaplain.

Minutes of yesterday read and adopted.

Mr. Leigh Chalmers, the calendar clerk elect, came forward and took the oath of office.

The President ordered that the names of the following assistant sergeants-at-arms be dispensed with: Capt. D. M. Wilson, Val C. Giles, Ed. Rhoades, ——— Rabb, P. H. Callahan and ——— Sublett.

Senator Dwyer moved that Senator Russell be added to the Committee on Indian Affairs. Carried.

A message from the House was announced, informing the Senate of the passage of a concurrent resolution by the House to go into the election of public printer on Thursday, the twenty-second instant.

On motion of Senator Wood, the concurrent resolution was referred to the Committee on Printing.

Senator Wood, chairman of Committee on Retrenchment and Reform, made the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Retrenchment and Reform, to whom was referred a bill, entitled "An act to regulate and define mileage, to be paid to members of the Legislature," have carefully considered the same, and beg leave to report said bill back to the Senate, and unanimously recommend that the same do pass. All of which is respectfully submitted.

Wood, Chairman.

Senator Camp introduced a bill, entitled "An act to regulate the sale of the home-

stead." Read first time and referred to Judiciary Committee.

Senator Culberson introduced a bill, entitled "An act to reorganize the seventh, eighth and eleventh Judicial Districts of the State of Texas, and fix the time for holding the courts therein." Read first time and referred to Committee on Judiciary.

Senator Hobby introduced a bill, entitled "An act to authorize the County Court of Tyler county, to levy a special tax for certain purposes." Read first time and referred to Judiciary Committee.

Senator Parker offered the following resolution:

*Resolved*, That the resolutions of the Senate, requiring the secretary of the Senate to contract for and furnish each Senator with twenty-five copies of such daily newspapers as each Senator may suggest, be and the same be rescinded.

Referred to Committee on Public Printing.

Senator Bradshaw offered the following resolutions:

1. *Resolved*, That the Committee on Public Debt be instructed to inquire into and report to this house the amount of the existing debt against the State.

2. *Resolved*, That said committee be instructed to inquire into and report to this house what present *ad valorem* of taxes is necessary to carry on the legitimate objects of the government—the Executive, Legislative and Judicial, and the deaf and dumb and blind asylums, and all the different departments of the government.

Adopted.

A message from the House announced the passage of House joint resolution No. 2, "suspending the powers of the mayor, aldermen and other officers of the city of Houston, in Harris county, in certain cases herein enumerated."

Senator Ledbetter introduced a bill entitled "An act to incorporate the Austin Omnibus Company." Read first time and referred to Judiciary Committee.

Senator Wood offered the following resolution:

*Resolved*, That the Committee on Printing be instructed to investigate the accounts of the present public printer, from the date of his election to the present time; and that said committee, through its chairman, be authorized to send for persons and papers; and, further, to inquire whether a better and more economical mode cannot be adopted to have the public printing done than by the present mode, through the election of a public printer, and to report the result of their labors under this resolution, by bill or otherwise, at the earliest practicable moment.

Adopted.

Senator Baker moved to take up House joint resolution No. 2. Carried.

Resolution read first time, and on motion of Senator Baker, rules suspended and read second time.

On motion of Senator Baker, the rules were further suspended, the resolution read third time and passed.

Senator Swift introduced a bill entitled "An act to change the venue in the case of The State of Texas v. James I. Perkins, E. G. Hinkle, John Stubblefield, Wm. Loggins, John Wade, John Alexander, Richard Wade and Dogan Tucker," pending in the District Court of Wood county.

Read first time and referred to Judiciary Committee.

Senator Hobby introduced a joint resolution amending section 46 of Article 12, of the State Constitution. Read first time and referred to the Committee on Constitutional Amendments.

Senator Culberson offered the following resolution:

WHEREAS, The present Constitution of the State of Texas is inadequate and unsuited to the wants and requirements of good government; and

Whereas, The people of the State, by a large majority, have signified their will that a convention of the people to frame a new Constitution should be provided for and called by this Legislature, at as early a day as practicable; therefore, be it

*Resolved*, That the Committee on Constitutional Amendments be instructed to consider the subject, and report by bill or otherwise, as early as practicable.

Read first time and referred to Committee on Constitutional Amendments.

Senator Wood offered a joint resolution returning thanks to the President for upholding the right of local self-government in Texas. Read first time.

On motion of Senator Wood, the rules were suspended; resolution read second time and ordered engrossed.

On motion of Senator Wood, the rules were further suspended; resolution read third time and passed.

Senator Bradley, for Committee on Privileges and Elections, submitted the following report and accompanying resolution:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Privileges and Elections, to whom was referred the certificate of election of T. G. Davidson, as Senator of the Sixteenth Senatorial District, together with the written communication of the said T. G. Davidson, addressed to the President of the Senate, declining to qualify as Senator for said district, beg leave to report that they consider said communication of the said T. G. Davidson a resignation as Senator of said district. Your committee, therefore, recommend the adoption of the accompanying resolution.

BRADLEY, for the Committee.

*Resolved*, That the senatorship of the Sixteenth Senatorial District is hereby declared to be vacant, and that his Excellency Governor Coke be and is hereby requested to order an election to fill the same.

Report and resolution adopted.

Senator Trollinger introduced a bill entitled "An act to amend 'An act prescribing the times of holding the district courts in the several judicial districts in the State,'" approved August 10, 1870. Read first time and referred to Judiciary Committee.

Senator Dillard introduced a bill entitled "An act to regulate proceedings in Supreme Court, in matters of probate or any trustees of decedants' estates." Read first time and referred to Judiciary Committee.

Senator Culberson introduced a bill entitled "An act to authorize the district judges to inquire into the sufficiency of the sureties upon the bonds of justices of the peace, and to require new bonds in certain cases." Read first time and referred to Judiciary Committee.

Senator Dillard offered the following resolution:

*Resolved*, That a standing committee of five be appointed by the President of the Senate, to inquire into the condition of the Lunatic Asylum; and that they be instructed to report, as early as possible, the present condition of said institution.

Adopted.

The President appointed on said committee, Senators Dillard, Swift, Allison, Westfall and Dwyer.

Senator Westfall moved that the sergeant-at-arms be required to hoist the United States flag on the Capitol building. Unanimously adopted.

#### MESSAGE FROM THE GOVERNOR.

The following message was received and ordered read:

*To the Honorable Senate and House of Representatives of Texas:*

I herewith transmit to your honorable bodies, and recommend immediate action thereon, the result of the vote on the amendments to the Constitution of Texas, proposed by the Thirteenth Legislature, and submitted to the people on the second day of December, A. D. 1873, at the general election held on that day. Upon actual account the vote stands thus:

For the amendments.....51,706  
Against the amendments.....30,277

Majority for amendments.....21,429

The returns for this election were opened by George Clark, Secretary of State, and counted in the presence of the Executive. The names of the persons voting upon said amendments were not included in the returns. I recommend that your honorable bodies ratify the proposed amendments, and send herewith a copy from the Secretary of

State of the amendments for convenient reference.

RICHARD COKE,  
Governor.

Senator Ball offered the following resolution:

*Resolved*, That the Senate do now proceed to the consideration of the amendments to the Constitution adopted by the Thirteenth Legislature and ratified by the people at the election held on the second day of December, A. D. 1873, as recommended in the message of his Excellency Governor Coke and just submitted to the Senate.

Adopted.

On motion of Senator Wood, the message and accompanying documents were referred to the Committee on Constitutional Amendments, who were ordered to report at 3 o'clock P. M. to-day.

Senator Swift offered the following resolution:

*Resolved*, That a committee of three be appointed to investigate the condition of the blind asylum, and report the same.

Adopted.

The President appointed on said committee Senators Swift, Ellis and Friend.

On motion of Senator Bradley, the Senate adjourned to 3 o'clock P. M.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment. Roll called; quorum present.

Absent—Senators Camp and Culberson.

Senator Wood introduced a bill re-enacting an act entitled "An act to authorize the Police Court of Leon county to levy and collect a special tax to build a jail, to validate the action of said police court under the same, and to cause the same to be published as one of the laws of the Thirteenth Legislature." Read first time, and, on motion of Senator Wood, the rules were suspended, the bill read second time and ordered engrossed.

On further motion of Senator Wood, the rules were further suspended, bill read third time and passed.

Senator Randle, chairman of the Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills have examined Senate joint resolution No. 12, "Returning thanks to the President for upholding the right of local self-government in Texas," and find the same correctly engrossed. ED. RANDLE, Chairman.

Senator Swift introduced a bill entitled "An act making an appropriation to defray the contingent expenses of the first session of the Fourteenth Legislature of the State of Texas." Read first time.

On motion of Senator Swift, the rules

were suspended, the bill read second time and ordered engrossed.

On motion of Senator Swift, the rules were further suspended, the bill read third time and passed by the following vote:

Yeas—Senators Ball, Baker, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ledbetter, Morris, Moore, Randle, Russell, Swift, Trollinger and Wood—21.

Nays—Senators Allison, Parker and Westfall—3.

Absent, not voting—Senators Flanagan, Ireland and Stirman.

A message was received from the House announcing the passage of a concurrent resolution of thanks to George B. Zimpelman and others therein named.

Senator Davenport, Chairman of the Committee on Public Printing, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Public Printing, to whom was referred the resolution requiring the secretary of the Senate to contract for and furnish each Senator with twenty-five copies of such daily newspapers as each Senator may suggest, be rescinded, have had the same under consideration, and respectfully report that under the resolution sought to be rescinded, the expense of supplying the Senate with newspapers will amount to sixty dollars per day, or eighteen hundred dollars per month. In the opinion of the committee, such an expenditure is unjustifiable and extravagant. The committee therefore recommend the adoption of the following accompanying resolution as a substitute for the original.

Respectfully submitted,

DAVENPORT, Chairman.

*Resolved*, That the secretary be required to furnish to each Senator, daily, one copy for each county in his Senatorial District of the paper publishing officially the proceedings of the two Houses; *provided*, the same be furnished at rates not exceeding the subscription price of such paper.

Senator Westfall moved to adopt the report of the committee.

Yeas and nays being called for, it was adopted by the following vote:

Yeas—Senators Allison, Ball, Baker, Camp, Davenport, Dillard, Dwyer, Erath, Friend, Morris, Moore, Parker, Randle, Russell and Westfall—15.

Nays—Bradshaw, Bradley, Culberson, Ellis, Hobby, Ledbetter, Swift, Trollinger and Wood—9.

Absent, not voting—Flanagan, Ireland and Stirman.

Senator Russell offered the following resolution:

*WHEREAS*, The Committee on Public Debt has been required by the Senate to report the amount of existing debt against

the State and to inquire and report what amount of tax is necessary to support the various departments of government; therefore be it

*Resolved*, That the said committee be authorized to employ a competent accountant for clerk.

Adopted.

Senator Baker offered the following resolution:

*Resolved*, That the President appoint a committee of three, to act in conformity with a like committee on the part of the House, to inquire into and report on the condition of the Treasurer's office.

Adopted.

The following Senators were appointed as said committee: Baker, Wood and Bradshaw.

Senator Camp, Chairman of the Committee on Constitutional Amendments, submitted the following report, and accompanying Senate joint resolution: "Ratifying the amendments to section twenty of article one of bill of rights, to section two, section three, and section four of article five, section twenty-eight, section forty and section forty-eight, of article twelve of the general provisions of the Constitution of the State of Texas." Report of the committee adopted.

Joint resolution ordered read first time by the following vote:

Yeas—Senators Allison, Ball, Baker, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ledbetter, Morris, Moore, Parker, Randle, Russell, Swift, Trollinger Westfall and Wood—24.

Absent, not voting—Senators Flanagan, Ireland and Stirman.

On motion of Senator Randle, the Senate adjourned to 10 o'clock A. M. to-morrow.

## EIGHTH DAY.

SENATE CHAMBER,  
AUSTIN, January 21, 1874.

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Minutes of yesterday read and adopted.

Senator Westfall presented the petition of Q. J. Nichols. Referred to Committee on Claims and Accounts.

Senator Westfall presented the memorial of John H. Brown. Referred to Committee on State Affairs.

Senator Westfall presented the petition of A. H. Cook. Referred to Committee on Claims and Accounts.

Senator Westfall introduced a bill entitled "An act for the relief of Quilla J. Nichols." Read first time and referred to Committee on Claims and Accounts.